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22<sup>nd</sup> January 2024

To Whom It May Concern;

VARIATION OF CONDITION 2 OF 2018/0868 (AS VARIED BY 2018/2547 AND 2019/1667) - HOUSE TYPE AND LAYOUT CHANGES TO ALLOW FOR THE THIRD PLOT THROUGH THE CONVERSION OF THE EXISTING OUTBUILDING.

I am writing to you to inform you of the submission of a variation of condition application (Section 73) on behalf of Mr and Mrs A Carr seeking the amendment of detailed Planning Consent 2018/0868 (as varied by 2018/2547 and 2019/1667).

The application seeks to vary Condition 2 in respect of the site layout plan and the plans and elevations for the remaining undeveloped dwelling, previously referred to as house type C (now referred to as “the third dwelling”), approved by the original consent. Condition 2 of consent 2018/0868 is proposed to be varied to accommodate the third dwelling approved by the planning consent.

The approved plans for the third dwelling cannot be implemented due to the construction of an outbuilding associated with Field View approved as part of a separate full planning permission for a detached garage/workshop/hobby room (now referred to as “outbuilding”) incidental to the occupier of Field View under planning reference 2021/1177 approved 13<sup>th</sup> October 2021.

This application intends to deliver the third dwelling as part of 2018/0868 through the conversion of the approved, constructed and completed outbuilding and therefore revised layout and house type drawings are necessary to enable the conversion and therefore completion of the original consent.

The application site originally consisted of a rectangular shaped parcel of grazing land to the north of Howe Lane outside of the development limit for Brooke. Application 2018/0868 was approved for 3 dwellings (one two storey house and two single storey bungalows) in approximately equally sized plots all fronting Howe Lane with a single access point.

Subsequently two of the plots (easternmost (the Hollies) and westernmost (Field View)) along with the access and parking/turning area have been constructed.

The westernmost plot (Field View) has also subsequently received planning permission (2021/1177) for a detached outbuilding which is now completed and located in a position covering a substantial amount of the original proposed footprint of the third dwelling (middle plot).

The as built site layout has a fence line dividing the original site in two, dividing the third plot approximately equally between the end two dwellings, and these parcels are now in separate ownerships.

As per the requirements for a Section 73 application, the red line has been drawn to cover the entire site and the relevant notice has been served on the adjoining owners as appropriate.



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For the avoidance of doubt the proposal can be completed solely on Mr and Mrs A Carr's land, and therefore from a planning perspective this application is deliverable.

The key considerations are the principle of development, design, highways, amenity and drainage.

#### Principle:

The original permission was for three dwellings and therefore, as a Section 73 application on the site the primary consideration regarding principle is the status of this original permission and the validity of the current application as a feasible amendment. This consideration takes two forms; firstly, whether the original permission remains extant and secondly whether the additional drop-in permission prevents this original permission being implemented.

Following a review of a recent application on the site (2023/2670/RVC) South Norfolk Council have concluded that the delivery of two of the plots (easternmost (the Hollies) and westernmost (Field View)) is a material start on site, and therefore the permission is extant. In addition, they concluded that if a Section 73 application can alter the permission to prevent the conflict with 2021/1177 (the outbuilding), the permission can remain valid.

The concluding point in the principle section of the delegated report stated "Overall, therefore I can conclude that the principle of a third dwelling on this site remains established."

This application removes the conflict with 2021/1177 as it delivers the third dwelling as part of 2018/0868 through the conversion of the approved, constructed and completed outbuilding, and therefore the principle has been established.

#### Design/Layout:

The application site is located in a small cluster of 4 dwellings located outside of the main part of the village of Brooke. It is physically separated by a significant tract of agricultural land giving this small cluster its own context and character.

Out of the 4 properties, two are older, although not historic, while the additional two form part of the original permission to which this application is an amendment. Further to this, an additional two have planning permission on third part land to the East but are not yet constructed. Taking into account existing and approved dwellings, they have no defined spacing, range in sizes from 2 to 5 bedrooms, and have a range of plots sizes.

It is acknowledged that the original permission (2018/0868) maintained a fairly even split between the three dwellings approved, however it should be noted that the height, scale and footprint of the outbuilding to be converted into the third dwelling does not greatly differ from that previously approved, albeit rotated approx. 90 degrees, making the street frontage narrower, and extending further backwards.

It should be noted that the outbuilding utilises a similar high quality design and common materials to the two constructed dwellings, and although it is large and visible in the street scene, the delegated report stated there is no significant harm to the character and appearance of the area.

Most importantly, as this application is for the conversion of the existing outbuilding to deliver the third dwelling the design, scale and massing of the development will not noticeably change from the current state, and therefore the existing street scene will be retained.



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Current Street Scene

Outbuilding to be converted. Feature glazing to front as proposed.

The above photograph of the street scene indicates the varying separation distances between the built forms along Howe Lane, and by delivering the third dwelling through the conversion of the outbuilding any perceived detrimental impact, on the street scene and wider views of the site are greatly reduced, as referred to within application (2023/2670/RVC) for a third dwelling on the site formed from an additional building.

The layout and design will therefore have no further impact on the area when viewed from the south, both Howe Lane, and across the field when travelling north on the B1332 from the main village of Brooke.

It should also be noted that conditions could be included on the revised consent removing permitted development rights from the scheme, both for extensions to the dwellings, and outbuildings and garden structures which will then give the local planning authority control over any further future changes to the street scene.

It is noted that the design alters some aspects of the characteristics of the approved scheme, however planning guidance also promotes a range of unit sizes and smaller energy efficient new builds (especially bungalows) do appeal to a large proportion of the population including young and older people.

The dwelling has a size 124m<sup>2</sup> which meets the nationally described space standards for a 3 bedroom single storey dwelling (min 95m<sup>2</sup>), however this application is for the creation of a 2 bedroom dwelling (min 70m<sup>2</sup>), which better meets the requirements of the applicant.

As per the conditions of the original consent 2018/0868, a first floor refuge area is included in the design to mitigate any risk to the occupants in the event of a flood.



Completed photos indicating quality of outbuilding



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As the outbuilding has been recently completed and the specification included cavity walls, etc the proposal requires very limited works to be undertaken to complete the dwelling, with works being limited to;

1. Infilling of existing garage doors and insertion of traditional style windows to the South Elevation.
2. Insertion of one window to the East Elevation.
3. Reduction in size of one window to the West Elevation.
4. Insertion of 1no Velux window as means of escape from First Floor Refuge.
5. Internal stud partition walls and interior fit out.
6. Alterations to drive and external landscaping.

#### Highways:

The site access and overall parking and turning area was designed for 3 dwellings so this application does not alter the intensity or overall parking requirement on the application site. As such the impact on the wider highway network and access in relation to highway safety can be considered as unchanged, if not reduced due to the reduction in the unit size proposed for the third dwelling.

The external site layout proposed as part of this application provides sufficient parking and turning space for all three plots.

The driveway width between the rear of the parking space and the lawn edging is 5.2m metres to allow for manoeuvring out of the space, and also to enable vehicles to pass.

#### Amenity:

The third dwelling is to be single storey and whilst it has a relatively close relationship with the dwelling to the west (Field View), with the proposed boundary treatments in place there are no impacts in relation to overlooking or privacy.

The third dwelling is set to the north west of the closest neighbour, and the principle of the form has been established. There is one fixed obscure window to the east elevation to serve an En-suite, however there is a timber panel fence between the building and the Hollies so there is no significant overlooking issue.

In relation to noise, the proposal does not give rise to any detrimental impact.

#### Drainage:

The principle of both surface water and foul drainage has been established as part of 2018/0868 and enabling works have been completed to service the third dwelling.



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## Conclusion

The application should be found to be acceptable in principle as an amended location, layout and design of the third dwelling on the development. The proposal should also be found to be acceptable in relation to amenity, highways and drainage.

Therefore, the salient point of the proposal is the layout, form and design. This application intends to deliver the third dwelling as part of 2018/0868 through the conversion of the approved, constructed and completed outbuilding and therefore any impact created by the built form on the street scene, or further afield has already taken place, and this proposal has no impact on the street scene or wider views of the site.

The conversion is of a similar design, height, scale and footprint to the previously approved dwelling, however it is rotated approx. 90 degrees. Although the proposed dwelling and plot size are smaller than that of the adjacent properties "Field View" and "The Hollies" the footprint and plot size of "The bungalow", and the plots approved under 2020/1916 are not dissimilar.

The subject properties are within a small cluster which have their own context and character and are not defined by any particular type or scale of property, and planning guidance also promotes a range of unit sizes.

The completion of the third dwelling will enhance the area by enlarging the community, creating a positive economic impact of jobs during construction and will have a minimal environmental impact as it is a conversion from an existing outbuilding.

In summary this application intends to deliver the third (and final) approved dwelling as part of 2018/0868 through the conversion of the approved, constructed and completed outbuilding and therefore revised layout and house type drawings are necessary to enable the conversion and thereafter complete of the original consent.

The above covers the various elements raised in refused application 2023/2670/RVC and I hope this will enable all parties to come to a collective view on supporting the proposal.

There are no protected areas or assets of particular importance affected by the proposal and there are no adverse impacts to granting planning permission which would significantly and demonstrably outweigh the benefits of the proposal and the planning application should therefore be approved.

We trust you will find the information and documents provided within this application clear and comprehensive but please do let me know if you have any questions.

Yours sincerely



**James Garnham** BA (Hons)  
Director

Encs  
K Garnham Design Drawing 1907-1-A  
K Garnham Design Drawing 1907-2-A  
Planning Application Form  
Community Infrastructure Levy Form  
Notice sent to adjoining land owner